

STATE OF WISCONSIN, CIRCUIT COURT _____ COUNTY

IN THE MATTER OF _____

☐ Amended

**Petition for Approval
Prior to Exercise of
Powers over the Estate
of a Married Ward**

Date of Birth

Case No. _____

UNDER OATH, I STATE:

1. I am the guardian of estate of a married ward or a ward who intends to marry. The name of the ward's spouse or intended spouse is _____.

☐ 2. I petition for prior court approval to:

☐ a. exercise any management and control right over the marital property or property other than marital property that the married ward could exercise under ch. 766 if the ward were not an individual found incompetent (including transfer of assets to spouse) as follows: _____

☐ See attached

The description of the property involved, including the legal description of any real property, is as follows: _____

☐ See attached

☐ b. exercise any right in the business affairs that the married ward could exercise under ch. 766 if the ward were not an individual found incompetent, as follows: _____

☐ See attached

☐ c. consent to act together in or join in any transaction for which consent or joinder of both spouses is required, as follows: _____

☐ See attached

☐ d. execute under §766.58 a marital property agreement with the ward's spouse or if appointed for a ward who intends to marry, with the ward's intended spouse, as follows: _____

☐ See attached

3. I believe it is appropriate to approve this request considering:

- The permanency of ward's incapacity and likelihood that ward will need or benefit from the ward's property in future,
- The provisions of ward's estate plan,
- The relationship and intimacy between the ward and donee and whether donee is the likely object of ward's bounty,
- The personal traits and past donative declarations of ward,
- The condition of ward's estate and any adverse effect the proposed action will have on the ward's estate,
- The impact of proposed action on ward's eligibility for public assistance,
- The likelihood that ward, as a reasonably prudent person, would take the action contemplated if he or she had capacity to do so.

4. The action contemplated by guardian will benefit the ward, the ward's estate or members of ward's immediate family as follows: _____

☐ See Attached

I request that the court approve the exercise of the power requested in this petition. If the court requires a hearing, I ask the court to schedule a hearing upon any notice that the court requires.

Subscribed and sworn to before me

on _____

Notary Public/Court Official

Signature of Petitioner

Name Printed or Typed

My commission expires: _____

Address

Name of Attorney

Address

Telephone Number

Bar Number